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SENIOR REVIEW GROUP

October 27, 1972

Time and Place: 4:46 - 4:58 p.m., White House Situation Room

Subject: Soviet UN Proposals for Non-Use of Force and Prohibition  
of the Use of Nuclear Weapons: NSSM 162

Participants:

Chairman	Henry A. Kissinger	CIA	Richard Helms 
State	U. Alexis Johnson Samuel DePalma Robert Martin Col. Harry Johnson	ACDA	James Leonard Alan Neidle
Defense	Kenneth Rush Armistead Selden Dwayne Anderson	NSC	Helmet Sonnenfeldt William Hyland Fernando Rondon Jeanne W. Davis
JCS	Vice Adm. John P. Weinell R/Adm. James H. Doyle, Jr.		

SUMMARY OF CONCLUSIONS

It was agreed that:

-- the U. S. Delegation to the UN General Assembly will take the position that we favor reaffirmation of the renunciation of the use of force, but consider it unnecessary, and that we object to any distinction between categories of weapons.

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PA/HO, Department of State  
E.O. 12958, as amended  
Date: 8/6/07

Mr. Kissinger: I thought we might have a brief meeting on this Soviet resolution on non-use of force (copy attached), primarily because of the way it positions us with the Chinese and the Soviets and the pressures we will be under from both sides, particularly the Chinese. We have already had some messages from them indicating that they consider it an anti-Chinese resolution and they hope we won't be taken in by it.

Mr. Johnson: They're right, it is an anti-Chinese resolution. That's what it's designed for and the Soviets hope to bring us into it. Our position is very simple -- we think we should stay as far away from it as possible. We have nothing to gain by working with the Soviets on this. We can take the line that, if the prohibition of the use of force is already in the UN Charter, why say it? If this resolution is different, how is it different? This is a Peking-Moscow fight. We have instructed our delegation not to discuss it, not to take any initiative, and not to talk about any defects in it or we will be asked how we would correct the defects. We do expect the Soviets to get a majority for it.

Mr. Kissinger: When does it come up?

Mr. DePalma: The debate begins November 2 and is expected to last four days.

Mr. Johnson: And when the vote comes, we will abstain.

Mr. Kissinger: This is not the time to get either the Soviets or the Chinese mad at us.

Mr. DePalma: The Soviets are leaning hard on us. They are saying that they have bought our position. That we told them our position was to stand by the Charter prohibition on the use of force and that that's what they're doing. They are linking it to Article 51 of the Charter. They say they have come around to our point of view.

Mr. Johnson: They're not that naive.

Mr. DePalma: No, they're not. They know full well what they're doing and the probable effect on the Allies. They have come around 180 degrees and they think it would be nice to have the UN and the world community endorse their position against the Chinese.

Mr. Johnson: This says that if they are attacked by the Chinese, the Soviets can use nuclear weapons. The Soviets interpret this as UN sanction for them to use nuclear weapons against the Chinese.

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Mr. DePalma: And the Chinese made this point right away.

Mr. Kissinger: Will the resolution pass?

Mr. DePalma: The General Assembly has a long record of passing resolutions on the non-use of nuclear weapons. This is, in fact, a cut-back of the position they have taken in the past. I can't believe the Assembly won't pass it.

Mr. Kissinger: Can we separate the prohibition on the recourse to force from the use of nuclear weapons?

Mr. DePalma: We have always taken that position. The Soviets specifically want the reference to nuclear weapons.

Mr. Kissinger: I'm concerned with saying something that leans a little their way but, in fact, stops any operational procedures. The Chinese wouldn't be bothered by a resolution against the use of force.

Mr. Johnson: But if it's only that, how is it different from the Charter? And if it is different, how is it different?

Mr. Kissinger: What would we say in the debate? Would we have to speak at all?

Mr. DePalma: It depends on how the debate goes. It's hard to believe that we wouldn't have to speak. We could make our traditional speech on the non-use of force -- we could refer to the 1970 Declaration on Friendly Relations which was one of the best of these statements.

Mr. Kissinger: Can we postpone the debate next week? Next week is a bad time -- we don't want either of these countries mad at us.

Mr. Johnson: The Russians have made this a priority item.

Mr. Selden: Can we get someone else to amend it?

Mr. Johnson: What attitude would the Chinese take to that?

Mr. Kissinger: The Chinese won't object to reaffirming the objection to the use of force. They will object to linking this with the use of nuclear weapons since this, in effect, legitimizes the use of nuclear weapons.

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Mr. Johnson: If someone else wants to try to amend it, we could take a look at the amendment.

Mr. Kissinger: So we can take the position that we favor the reaffirmation of the objection to the recourse to force, but consider it unnecessary, and that we oppose any distinction between categories of weapons.

Mr. Leonard: We may end up in a very small group. The French have told the Russians they will go along.

Mr. Johnson: I agree, we may end in a small group, but we always have been on this issue.

Mr. Kissinger: How about the British?

Mr. DePalma: They're okay as of now. But the French have said they would agree if the resolution contained a reference to Article 51.

Mr. Johnson: What about an amendment to the referral to the Security Council in the second paragraph?

Mr. DePalma: This is very troublesome. We can't accept the idea of the Security Council adopting this as a binding declaration.

Mr. Kissinger: The Chinese would veto it.

Mr. DePalma: The Soviets have indicated they would drop this if necessary.

Mr. Kissinger: (to Helms) How do you feel about it?

Mr. Helms: I agree that we should stay as far away from it as possible and then make a statement against sin and reaffirming the Charter objection to the use of force.

Mr. Kissinger: Okay, but can we make sure we won't infuriate the Chinese. I'd rather pay a little price with the Russians if we absolutely have to, but we shouldn't get in the middle of their fight.

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